

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SPACE DATA CORP.,

Plaintiff,

v.

GOOGLE LLC, and others,

Defendants.

Case No. 16-cv-03260 BLF (NC)

**ORDER RE: DISCOVERY DISPUTE
ON LITIGATION FUNDING**

RE: ECF 259

Defendants Google and Alphabet move to compel discovery as to litigation funding considered by plaintiff Space Data. In particular, defendants move to compel production of Board minutes that discuss the potential funding, and move to complete the deposition of Space Data Board member David Wu, who declined to answer questions about the potential funding.

Defendants assert that the discovery is relevant, but do not articulate how. Space Data contests the relevance of the information requested and proffers an important piece of information: it does not have any third-party litigation financing. ECF 259 at p. 3.

The Court is not persuaded that the materials sought are relevant to any party's claim or defense and "proportional to the needs of the case." Fed. R. Civ. P. 26(b)(1). Even if litigation funding were relevant (which is contestable), *potential* litigation funding is a side issue at best. The Court finds that there is much discovery that would be more

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1 important in resolving the merits of this case. And the burden of responding would
2 outweigh its likely benefit to defendants. Consequently, defendants' request to compel
3 further discovery is DENIED. The Court does not reach the privilege issues discussed.
4 No costs or fees are awarded.

5 **IT IS SO ORDERED.**

6
7 Dated: June 11, 2018


NATHANAEL M. COUSINS
United States Magistrate Judge

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